

THE LAND USE
HANDBOOK
Section **4**

How to Apply for a L.U.R.C. Building Permit

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Maine Dept. of Conservation

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DEPARTMENT OF CONSERVATION

LAND USE REGULATION COMMISSION

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November 1978

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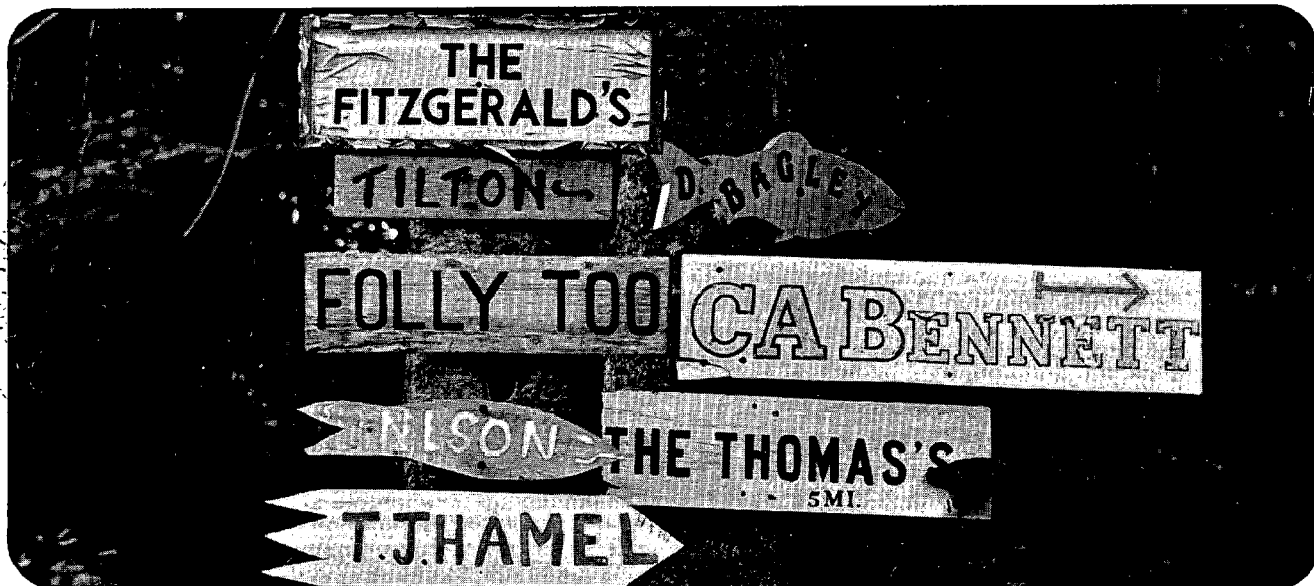
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How to Apply for a L.U.R.C. Building Permit

Table of Contents

Introduction	2
How to apply for a Building Permit.	3
The "Application for a Building Permit" form.	4
Exhibit A — How to prove "Title, Right, or Interest"	6
Exhibit B — How to prepare a Location Map	7
Exhibits C and D — How to prepare the "Before" and "After" plans	8
Exhibit E — How to prepare a Soils Report.	9
Some important regulations.	11
Minimum lot size regulations	12
A story — Josephine's Log Cabin	14
Shore frontage and road frontage regulations.	15
Setback regulations.	16
How to select a waste water disposal system	18
More Information	20



Introduction

Section 4 of the Land Use Handbook is a guide to help you fill out an **Application for a Building Permit**. The Section is designed for persons planning to place a home on land under the jurisdiction of the Maine Land Use Regulation Commission.

There are three parts to this Section. The first part describes the building permit application form and procedure. The second part ex-

plains how to prepare the required "exhibits" that must be filed with the application. The third part provides information on some of the more important regulations that affect persons planning to build a home.

Please note : This section is intended for general information. It is not intended for legal reference.

How to apply for a Building Permit

Anyone planning a house, cabin or trailer must apply for a Building Permit

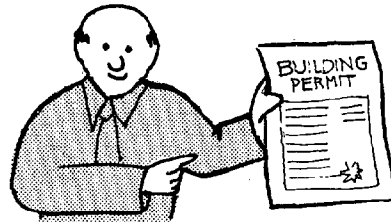
Anyone planning to place a house, cabin, mobile home, or other structure on land in a Plantation or Unorganized Township must obtain a Building Permit from the Maine Land Use Regulation Commission (L.U.R.C.).

To obtain an Application for a Building Permit form, write or call:

L.U.R.C.
State House
Augusta, Maine 04333
Phone: (207) 289-2631

or

L.U.R.C.
PO Box 1371
Presque Isle, Maine 04769
Phone: (207) 764-3761



and provide L.U.R.C. with:

1. your name and address
2. a description of what you plan to do
3. a description of where your land is located (please state what county your land is in and if possible include a map showing where your land is located.)

What happens next?

As soon as L.U.R.C. hears from you, you will be sent the Application for a Building Permit form. Complete the form using this booklet to help you, and return the form to L.U.R.C. with the required Exhibits (see page 4) and the application fee.

If your Application is complete, L.U.R.C. will act on it within 30 days.

Only after you have received a Building Permit from L.U.R.C. may you begin clearing or construction. If your land is in a Plantation, you must also get a Plumbing Permit from

the Local Plumbing Inspector (L.P.I.). To find out who the L.P.I. is, contact your assessors or selectmen, or the Maine Department of Human Services in Augusta, Telephone (207) 289-3826.

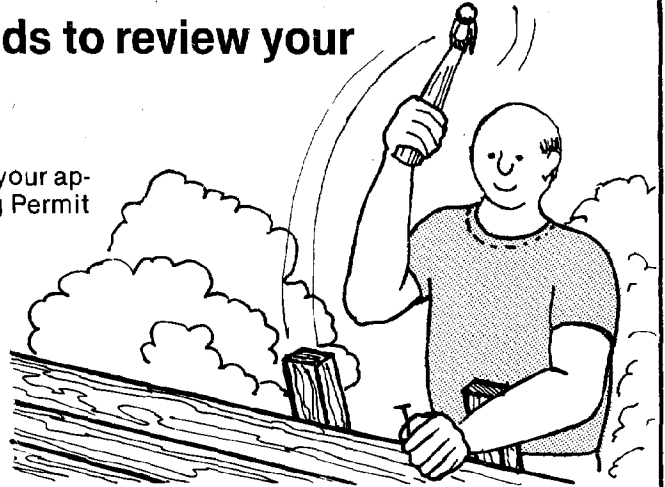
Remember, it may be wise to apply for a building permit before you finalize your land purchase. You should agree to buy the land only if you are sure you can build on the land.

The “Application for a Building Permit” form

The information L.U.R.C. needs to review your application

The information L.U.R.C. needs in order to review your application is listed on the Application for a Building Permit form. The Application requires information about:

- ownership
- location
- building lot
- building structure
- services
- soils



In addition the Application requires that you submit 5 “Exhibits.” These “Exhibits” are:

Exhibit **A** — a copy of your deed, lease or binding option to buy

Exhibit **B** — a location map

Exhibit **C** — a “Before” sketch plan of the land where you plan to live

Exhibit **D** — an “After” sketch plan of your completed project

Exhibit **E** — a Soils Report done by a licensed Soils Evaluator

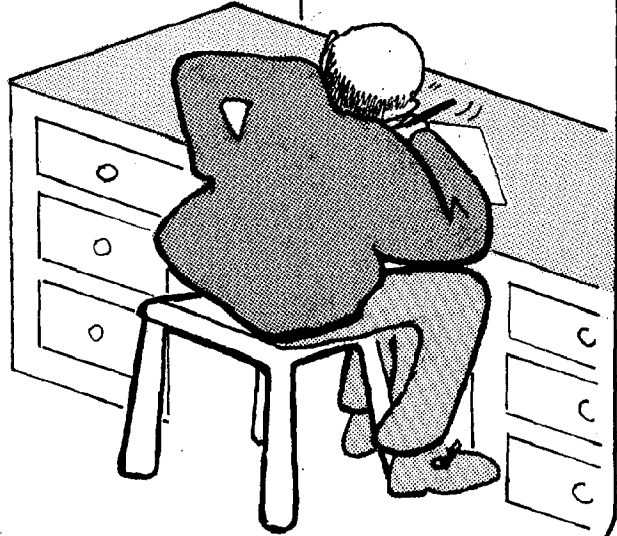
Pages 5 through 10 of this booklet explain how to prepare the above exhibits. The remaining pages provide further information to help you complete your application.



Fill out the application forms with care

Be sure to fill out the Application for a Building Permit form as carefully as possible. Delays will occur if the L.U.R.C. staff has to ask for additional information from you later on. Use this check list:

- ☐ Is your name and address on the form?
- ☐ Have you answered every question?
- ☐ Have you enclosed the application fee?
- ☐ Have you signed the application?
- ☐ Have you enclosed all the Exhibits?



A word of caution

Before you decide to buy land or start to plan where you will place your home, check the L.U.R.C. regulations (Section 3) and the Design Ideas (Section 5) in this handbook. The regulations that apply to lot size,

building setback and shoreline frontage may affect your plans. Refer to pages 11 to 19 to see how these regulations apply to your property.

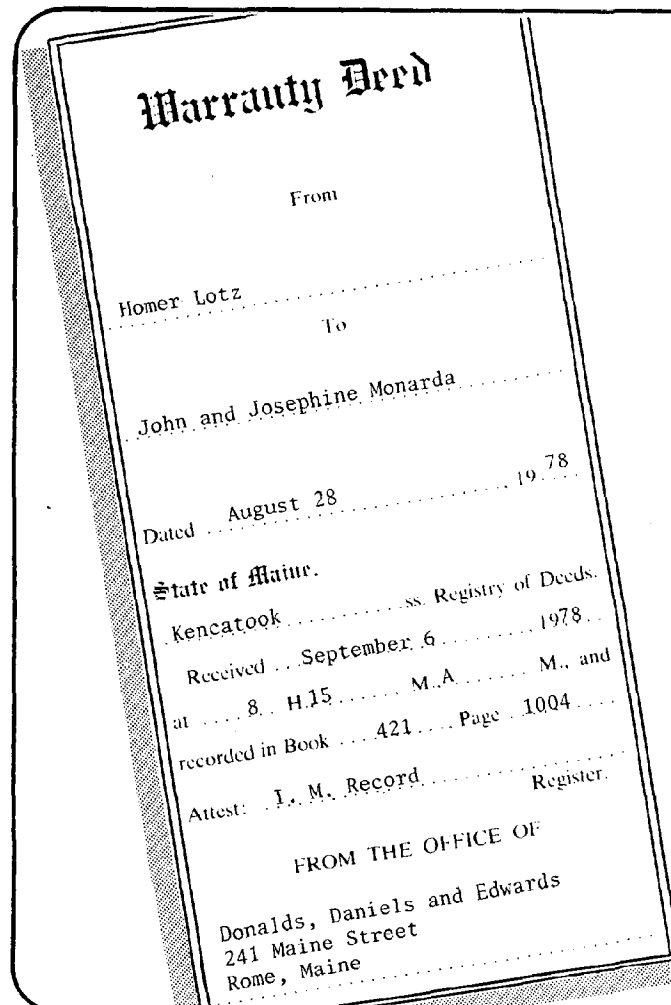
Exhibit A — How to prove “Title, Right, or Interest”

Prove you have title, right, or interest in the land

L.U.R.C.’s Application for a Building Permit requires that you submit, as Exhibit A, proof that you have title, right, or interest in the land on which you plan to place your home.

Exhibit A should be a copy of:

- your deed to the land; or
- your lease or contract; or
- a binding agreement to purchase all necessary interest in the land; or
- other “instrument” that shows you own an interest in the land.



Where to obtain a copy of your deed

A sample copy of a deed, reduced in size, is shown on the left. If you have difficulty finding your deed:

- check at the County Registry of Deeds; or
- consult with your lawyer or bank; or
- check with the real estate agent you dealt with when you purchased the land.

Why require proof?

To protect the rights of all property owners L.U.R.C. requires that anyone wishing to obtain a permit prove that they are, or will be, the legal owner or lessee of the land, or that they have sufficient interest to build a structure on the land.

Exhibit B—How to prepare a location map

Mark the location of your land on a map

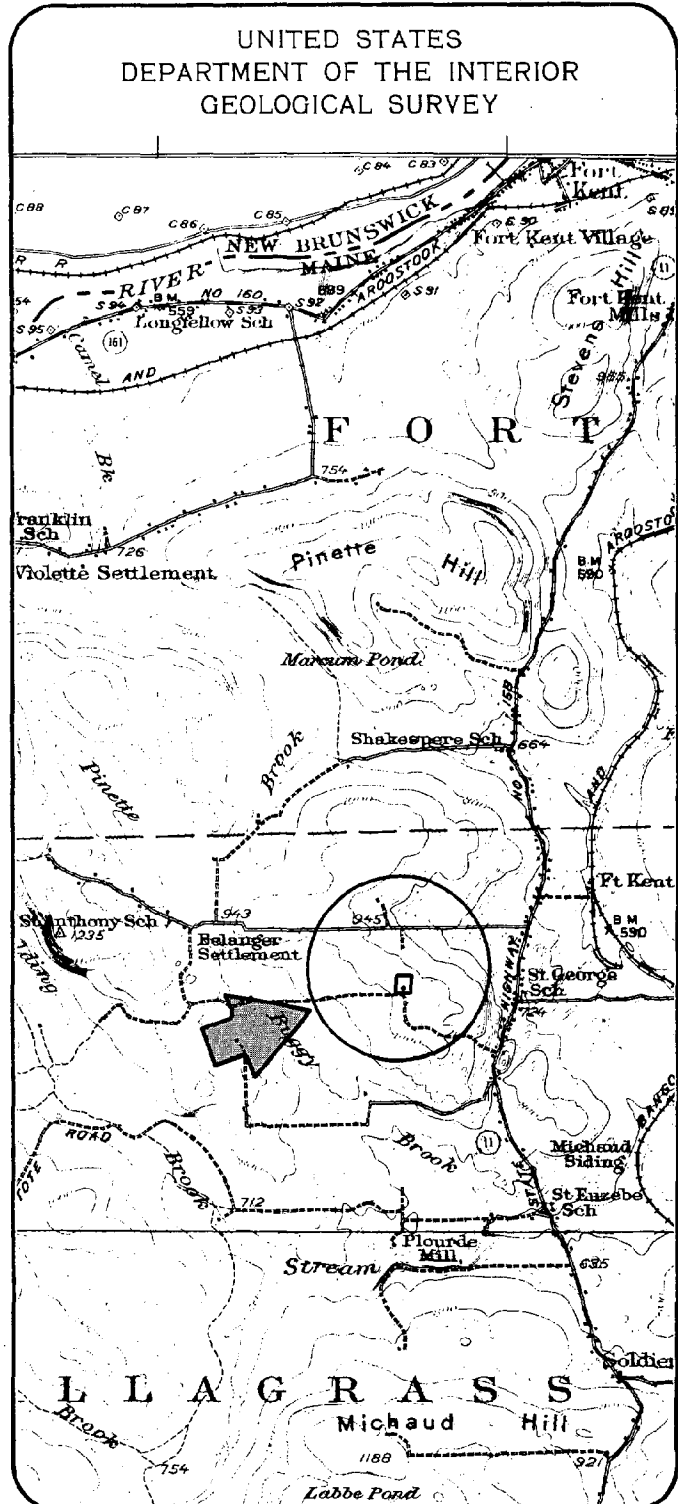
Your Application for a Building Permit must be accompanied by a United States Geological Survey (U.S.G.S.) map (see the example) or a L.U.R.C. Land Use Guidance Map. Mark the location of your lot clearly on the map. This will be Exhibit B of your application.

U.S.G.S. maps are available from sporting goods stores and some hardware and bookstores. Land Use Guidance maps are available from L.U.R.C. for a small fee.

Follow these steps:

1. Mark the proposed building site with a dot.
2. Mark the approximate lot boundaries with lines.
3. Draw a large circle around your lot to draw attention to it.

The sample U.S.G.S. map above is smaller than actual size.



How to prepare Exhibits "C" and "D"

Sketch your lot as it looks now "Before" you build...

The "Before" Plan

- The "Application for a Building Permit" form requires that you draw a diagram of the area where you plan to build.
- Draw on the graph paper provided and make sure you show all the items listed at the top of the form.

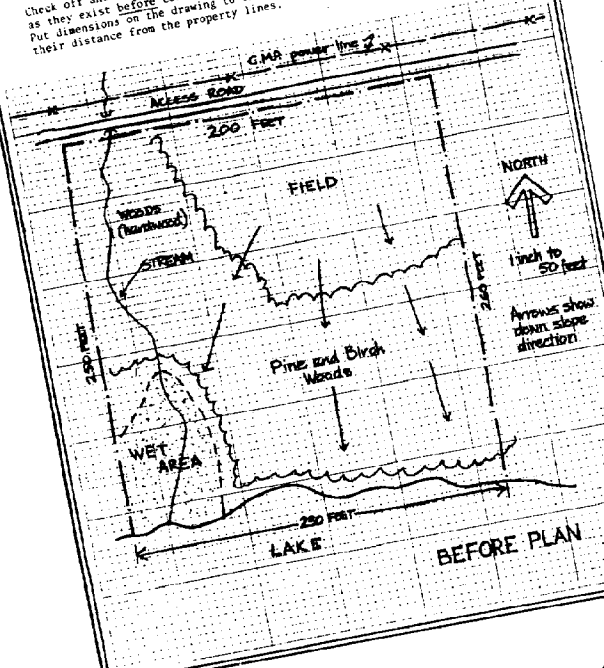
These samples are smaller than actual size.

Exhibit C, "Before" Plan
Submit, as Exhibit C, a drawing on the graph paper below that shows all the area within 250 feet of any proposed structure or sewage disposal system. This should be a plan drawing that shows drawn to correct proportions:

- ☐ Property lines
- ☐ All existing buildings
- ☐ Any existing sewage disposal facilities
- ☐ Existing wells
- ☐ Existing roads and driveways

- ☐ Existing utility lines
- ☐ Wooded and open (field) areas
- ☐ Wet areas (swamps, bogs, marshes)
- ☐ Rivers, streams, lakes or ponds
- ☐ Steep slopes (show direction of slope)

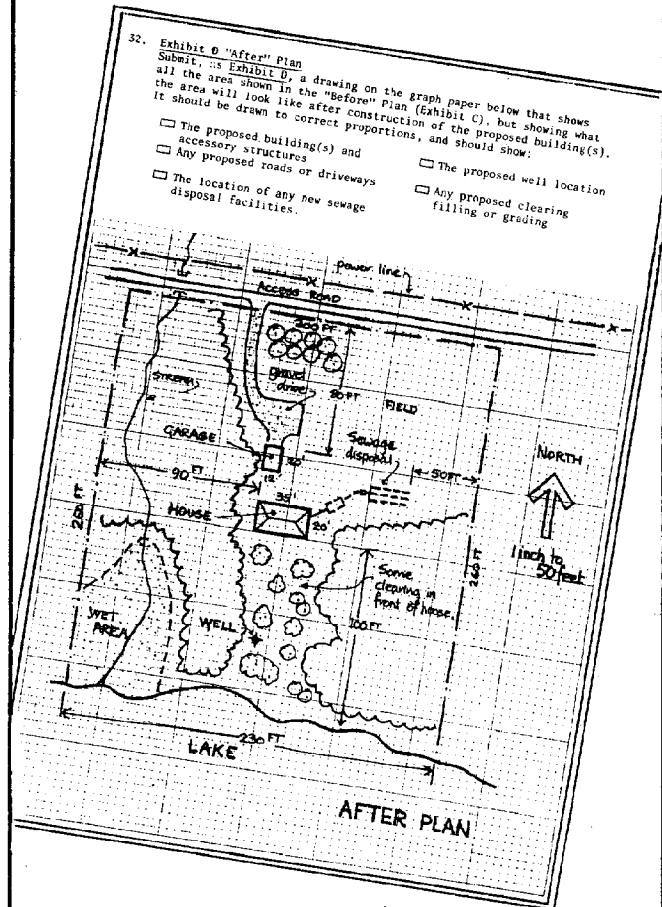
Check off and show on the plan you draw below, all the above features as they exist before construction begins.
Put dimensions on the drawing to show the size of existing features and their distance from the property lines.



and as it will look "After" your building is complete.

Exhibit D "After" Plan
Submit, as Exhibit D, a drawing on the graph paper below that shows all the area shown in the "Before" Plan (Exhibit C), but showing what the area will look like after construction of the proposed building(s). It should be drawn to correct proportions, and should show:

- ☐ The proposed building(s) and accessory structures
- ☐ Any proposed roads or driveways
- ☐ The location of any new sewage disposal facilities.
- ☐ The proposed well location
- ☐ Any proposed clearing filling or grading



The "After" Plan

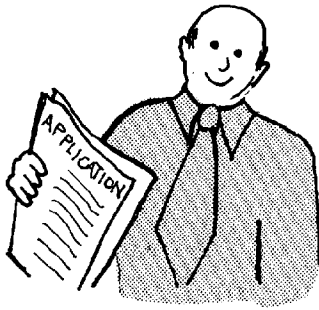
- The "After" plan should show all the improvements you will make to the lot.
- Draw on the graph paper provided and make sure that you note the distances between the planned new structures and the property lines.

The Soils Report drawings tell you where to put the sewage system, what size to make it, and how to construct it so it fits your soil requirements. See page 10 for an example.

The Land Use Handbook — Section 4

Page 2 of the Soils Report

Your Licensed Soils Evaluator will design and draw a sewage system to meet your site requirements on page 2. This is a sample of a completed Soils Report.

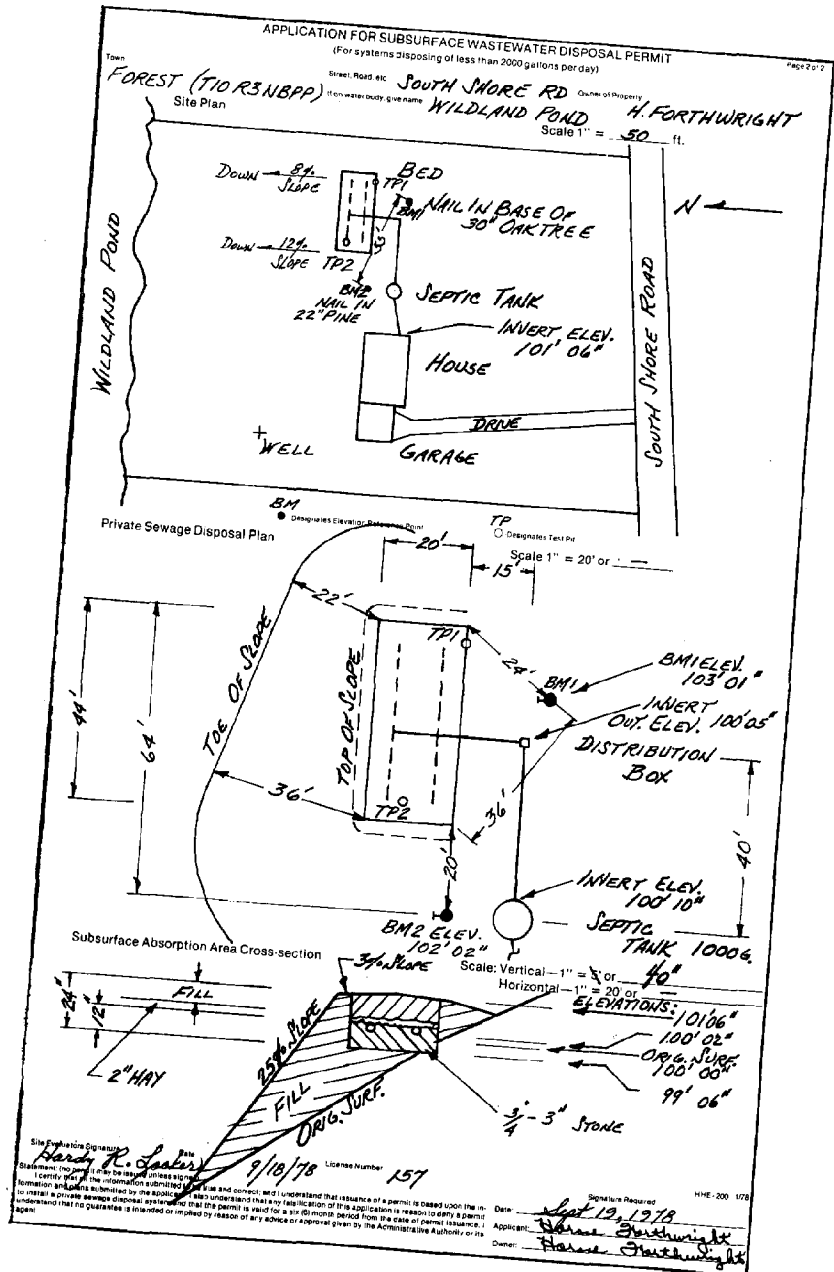


A list of licensed Soils Evaluators is included with each application form. Lists are also available from:

Land Use Regulation Commission
State House
Augusta, Maine 04333
Phone (207) 289-2631

OR

Dept. of Human Services
State House
Augusta, Maine 04333
Phone (207) 289-3826



Some important regulations

Lot size, set back and sewage disposal regulations

The notes and illustrations on pages 12 through 19 will help understand some of L.U.R.C.'s more important regulations. **Land Use Regulation can affect your decision to**

buy or lease land, or affect how you will place your home on the land. See Exhibit D on page 8.

For example, some of L.U.R.C.'s regulations govern:

- the lot size allowed in different areas;
- the minimum amount of shore or road frontage permitted,
- the distance structures must be set back from lot boundaries.

Some of the State Plumbing Code regulations govern:

- the distance sewage facilities must be set back from bodies of water and other structures;
- the type of sewage disposal system allowed on different soils.

Please note too, that the regulations described on the next few pages are not the only regulations that apply to you. They are, however, some of the more important regulations. For more information discuss your situation with the L.U.R.C. staff and refer to L.U.R.C.'s "Land Use Districts and Standards."

Minimum lot size regulations

What determines minimum lot size?

The minimum lot size allowed for houses, camps or mobile homes is determined by:

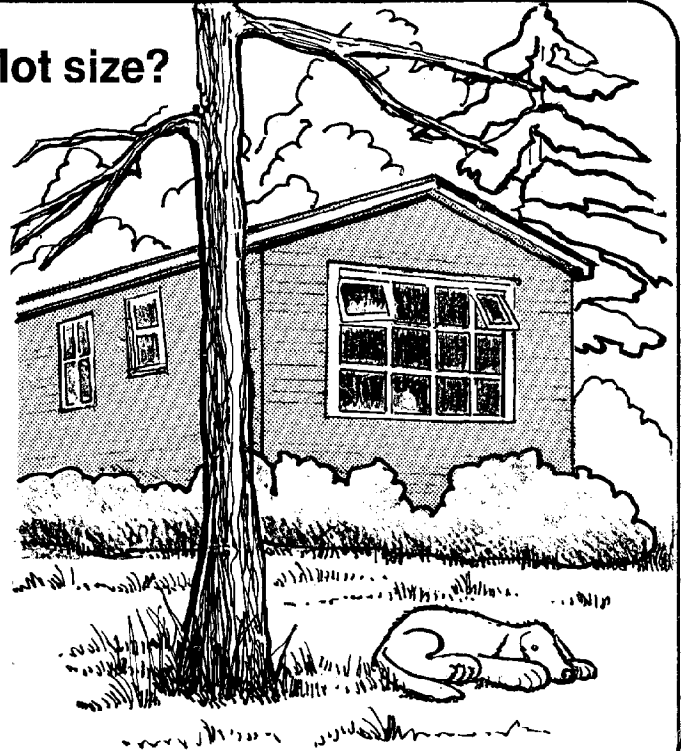
- the Subdistrict or zone in which your lot is located;

OR

- the type of soils on your lot and the sewage disposal system you propose to use.

The larger lot size, determined by the above, will apply to your lot.

For example, if the Subdistrict minimum lot size requirement for your lot is 60,000 square feet and the soil and sewage conditions dictate a lot size of 40,000 square feet, the 60,000 square foot figure applies.



How to find out what size your lot must be

To find out the minimum lot size permitted in your case follow the instructions in both columns A and B below. The larger lot size determined by this procedure is the one that applies to your land.



A. Step one

- Check with L.U.R.C. or refer to its Land Use Guidance Map for your area and find out what Subdistrict your land is in.
- Determine what lot size applies from the table below:

Subdistrict	Minimum lot size
all Protection Subdistricts	60,000 square feet
all Management Subdistricts	60,000 square feet
General and Residential Development Subdistricts	20,000 square feet
Commercial/Industrial Development Subdistricts	40,000 square feet

Table taken from L.U.R.C.'s "Land Use Districts and Standards" Section 10.17, B, 1.

B. Step two

- Hire a licensed Soils Evaluator to test the soil and determine what kind of sewage disposal system is best for you.
- Have the Soils Evaluator tell you what the soil profile number and soil condition letter is for your soil. Use the number and the letter to find out which lot size in the table below applies.

Soil Profile	Soil Conditions		
1	40,000 Sq. Ft.	30,000 Sq. Ft.	30,000 Sq. Ft.
2	30,000 Sq. Ft.	25,000 Sq. Ft.	30,000 Sq. Ft.
3	30,000 Sq. Ft.	30,000 Sq. Ft.	35,000 Sq. Ft.
4	25,000 Sq. Ft.	20,000 Sq. Ft.	25,000 Sq. Ft.
5	40,000 Sq. Ft.	40,000 Sq. Ft.	80,000 Sq. Ft.
6	40,000 Sq. Ft.	40,000 Sq. Ft.	80,000 Sq. Ft.
7	35,000 Sq. Ft.	35,000 Sq. Ft.	35,000 Sq. Ft.
8	30,000 Sq. Ft.	30,000 Sq. Ft.	30,000 Sq. Ft.
9	35,000 Sq. Ft.	35,000 Sq. Ft.	35,000 Sq. Ft.

Table from Appendix 1 of the Maine State Plumbing Code, Part II.

A story — Josephine's Log Cabin



Josephine obtained a binding agreement to buy a camp lot in Township 7, Range 4. The lot was 70,000 square feet in size and Josephine contracted to buy the land if she could obtain a L.U.R.C. permit to build.

On checking with L.U.R.C. she found that because the lot was on a stream it was in a Shoreland Protection Subdistrict. The minimum lot size for lots in this Subdistrict is 60,000 square feet. Josephine then hired a Soils Evaluator and had the soils tested, as she planned to install a septic tank and disposal bed. The Soils Report showed that the soils were relatively well drained. The Plumbing Code required that a medium size system be installed for this soil type and recommended a minimum lot size of 40,000 square feet.

The largest size the regulations required for Josephine's lot was 60,000 square feet. She then applied for and received a Building Permit, closed the deal, and built herself a log cabin.

What to do if the lot does not meet requirements

Josephine was wise not to buy her lot without checking the regulations. If you find your lot does not meet requirements you may be able to solve the problem by buying or

leasing more land, using a different sewage system, or in rare cases, by applying for a variance. Check with the L.U.R.C. staff if you have questions on this.

SOME IMPORTANT REGULATIONS

● Shore frontage and road frontage regulations

Minimum shoreline frontage regulations

In all Protection Subdistricts, except the Shoreland Protection Subdistricts, the minimum shoreline frontage allowed is 100 feet. In Shoreland Subdistricts the minimum distance is 200 feet.

Lots in General and Residential Development Subdistricts must have a minimum shoreline frontage of 100 feet. In Commer-

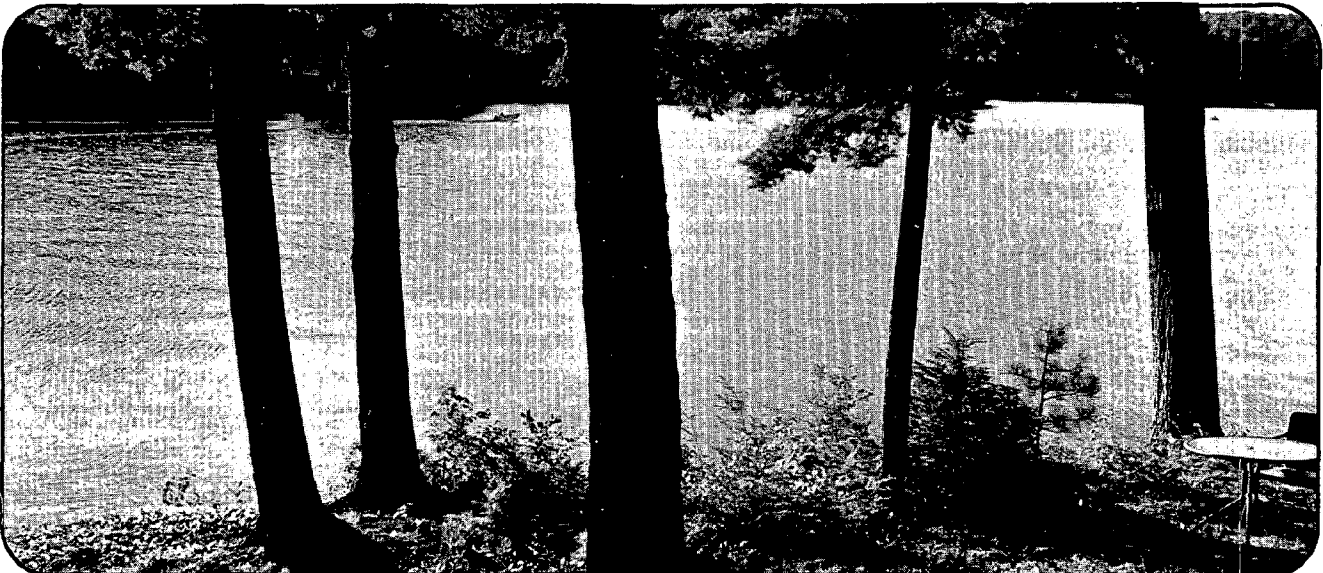
cial/Industrial Development Subdistricts this dimension must be 200 feet.

For detailed information on the above regulations refer to L.U.R.C.'s "Land Use Districts and Standards" and Section 3 of this Handbook, page 42.

Minimum road frontage regulations

In all Protection Subdistricts the minimum road frontage requirement for lots is 200 feet. In Management Subdistricts this requirement is 250 feet and in Development Subdistricts the minimum road frontage permitted is 100 feet.

Again, for full details on these regulations refer to L.U.R.C.'s "Land Use Districts and Standards."



Set back regulations

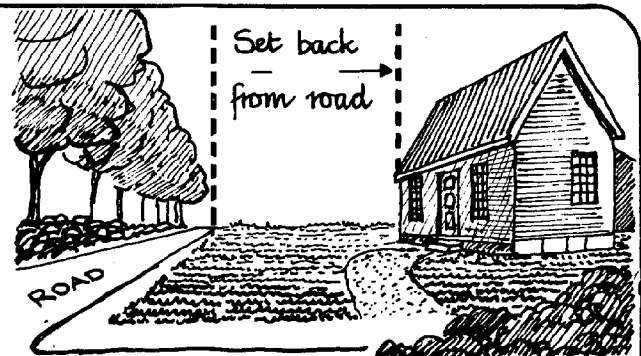
Buildings must be set back from roads, property lines and the shore

L.U.R.C.'s regulations require that most buildings be set back certain distances from roads, property lines, and the shoreline of lakes, ponds, streams, and the ocean.

Use the diagrams below to get a general idea of what set back regulations apply to your land. However, as exceptions are made in special cases, for full details you should refer to L.U.R.C.'s "Land Use Districts and Standards."

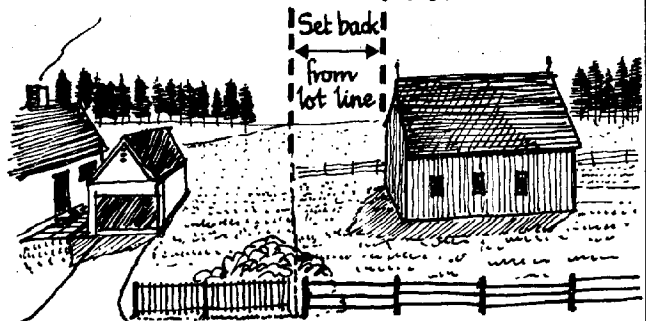
Set back from the road

If your land is in a Protection or Management Subdistrict all major structures must be set back 75 feet from the road. In Development Subdistricts this distance should be 50 feet.



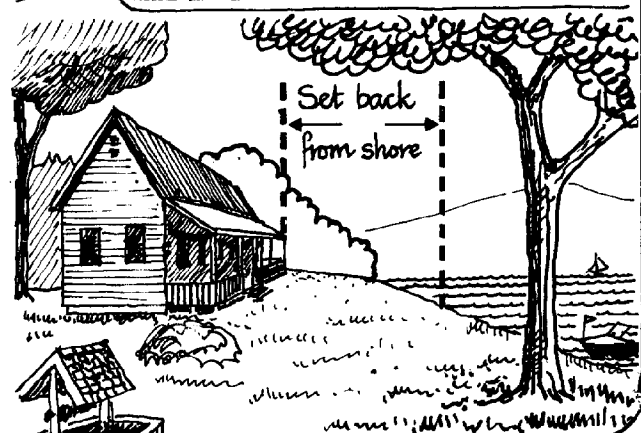
Set back from lot lines

If your land is in a Protection or Management Subdistrict all major structures must be set back 20 feet from the sides of your property. In Development Subdistricts this distance should be 15 feet.



Set back from ponds, streams and the ocean

If your land is in a Great Pond or Shoreland Protection Subdistrict, or a General or Residential Development Subdistrict, all major structures must be set back 75 feet from the high-water mark.



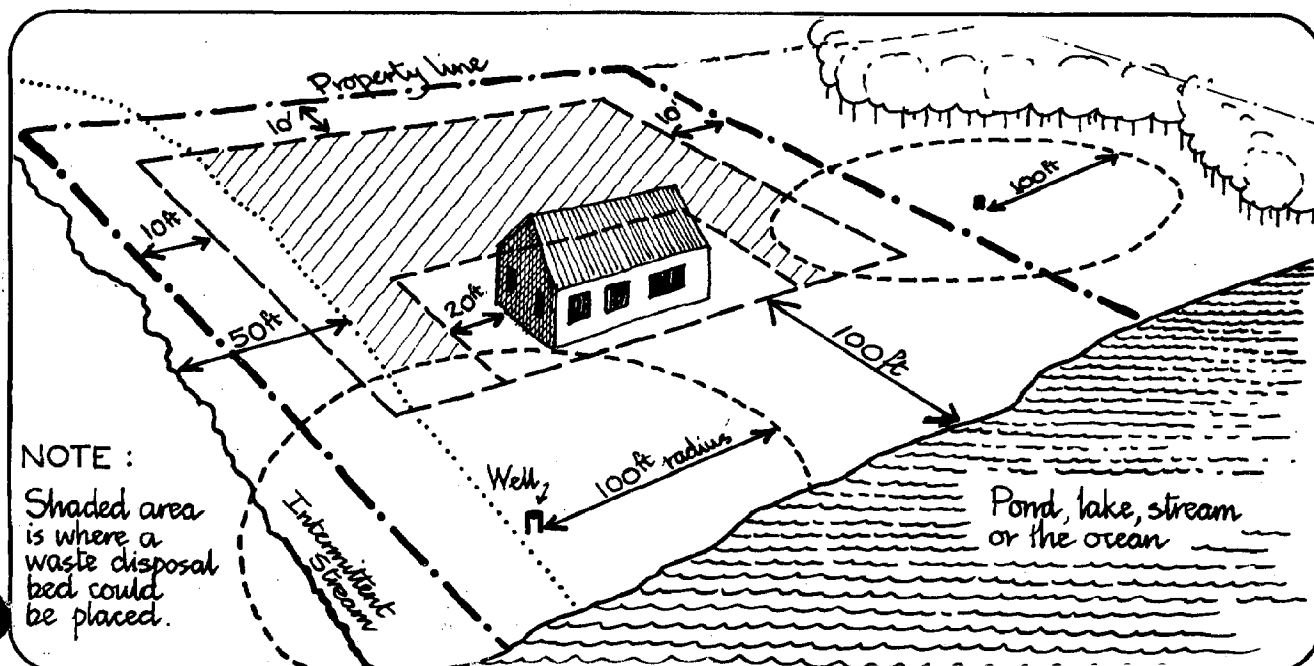
Subsurface waste disposal areas must be set back from property lines, wells and bodies of water.

The State Plumbing Code, Part II, requires that waste water disposal beds be set back from various features.

Before you buy or build make sure your lot has enough space to accommodate a disposal bed that meets all set back requirements. The table below describes some of the more important set back regulations required by the Plumbing Code. Your Soils Evaluator can give you further details or you may wish to refer to Table 4-1 in the Code.

The Plumbing Code is available from the Department of Human Services, Division of Health Engineering, State House, Augusta, Maine 04333, for a fee of one dollar.

Feature	Required set back from disposal area
Property line	10 feet
Building with basement	20 feet
Pond, stream or the ocean	100 feet
Intermittent stream	50 feet
Well or spring	100 feet



SOME IMPORTANT REGULATIONS

How to select a waste water disposal system

Waste water disposal systems must meet Plumbing Code regulations

If you plan to dispose of waste water you and your licensed Soils Evaluator must select a waste disposal system that meets your household needs and State Plumbing Code requirements.

Once you have selected a system the Soils Evaluator will draw the design on a Soils Report form. The system should be built according to this design. See pages 9 and 10 for more information.

The type of system you select will also depend on soil conditions, the availability of electricity for pumping water, the number of people and plumbing fixtures the system must serve, and other factors. The table on page 19 describes three basic types of waste-water disposal systems.



The 3 basic waste-water disposal systems

Basically there are 3 types of waste water disposal systems from which to choose, assuming, of course, that your soils are suitable for subsurface waste water disposal.

All the systems below must be designed to meet Plumbing Code requirements. Your soils Evaluator can more fully explain the alternatives available to you.

	Conventional System	Separated System	Special System
Type of Water Supply	Water supplied by mechanical means other than hand pumped	Water supplied by mechanical means other than hand pump	Hand carried or hand pumped
Type of Toilet	Flush toilet	Chemical, composting or incinerating toilet or outhouse*	Outhouse or chemical, composting or incinerating toilet*
Other Allowable Plumbing Fixtures	All	All but flush toilet	Kitchen sink only
Type of Disposal System Required	Septic tank with: —absorption —disposal bed	Septic tank system similar to, but smaller than that described at left	Outhouse or approved chemical, composting or incinerating toilet. Sink waste water only may drain to small disposal bed. No septic tank required

*These are self-contained toilets that are not connected to a waste-water disposal system.

More Information

1. Cleaning Up the Water. Private Sewage Disposal in Maine.
Available from: The Department of Environmental Protection
State House
Augusta, Maine 04330
2. Soils and Septic Tanks. Agriculture Information Bulletin. For sale for the price of 15 cents from:
Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402
3. Soils suitability Guide for Land Use Planning in Maine
Available from:
The Cooperative Extension Service
University of Maine
Orono, Maine 04473
4. Groundwater Handbook for the State of Maine
Available from: Maine Coastal Program
Natural Resource Planning Division
Maine State Planning Office
State House
Augusta, Maine 04333
5. Building in the Wildlands of Maine
Available from: Maine Land Use Regulation Commission
State House
Augusta, Maine 04333
6. Down Easter's III - For Sale by Owner
A guide to selling your own home.
Available from: Bureau of Consumer Protection
State House
Augusta, Maine 04333
7. Down Easter's Pocket Credit Guide
A guide to interest rates on loans.
Available from: Bureau of Consumer Protection
State House
Augusta, Maine 04333

Acknowledgements

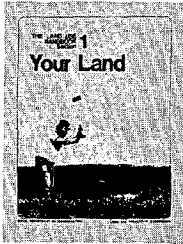
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We thank them all.

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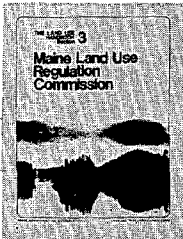
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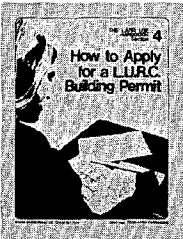
1 Your Land



2 Maine Land Use Laws



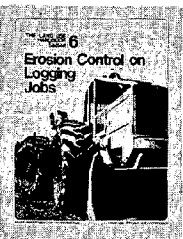
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5 Design Ideas



6 Erosion Control on Logging Jobs

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